

Docket No. 0575/45775-Z/JPW/AJM/DNSAF  
JPWIN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant(s): Christina Kabbash et al.Serial No. : 10/813,322 Examiner: D.L. JonesFiled : March 29, 2004 Group Art Unit: 1618For : NOVEL ANTIMICROBIAL ACTIVITY OF GEMFIBROZILMail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450Date: January 3, 2006

Sir:

Transmitted herewith is an amendment to the above-identified application.

X Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.

\_\_\_\_\_ A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

\_\_\_\_\_ No additional fee is required.

The filing fee is calculated as follows:

	Number after Amendment	Highest Number Previously Paid For <sup>1</sup>	Number of Extra Claims Presented	RATE			FEE	
				Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	28 -	* 35 =	*** 0 X	\$25	\$50	=	0.00	
Independent Claims	3 -	** 5 =	*** 0 X	\$100	\$200	=	0.00	
Multiple Dependent Claim(s) Presented For First Time _____ Yes <u>X</u> No				\$180	\$360	=	0.00	
				TOTAL ADDITIONAL FEE \$ 0.00				

- <sup>1</sup> The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.
- \* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.
- \*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.
- \*\*\* If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

Applicant(s): Christina Kabbash et al.

Serial No. : 10/813,322

Filed : March 29, 2004

Amendment Transmittal Letter  
Page 2

The following are also enclosed:

☒ One additional copy of this Amendment Transmittal Letter

☒ Return Receipt Postcard

☐ An Information Disclosure Statement, including Form PTO-1449  
(Copies of citations included: Yes ☐ No ☐  
and a fee of \$ ☐ included)

☐ A Petition for an Extension of Time, including a fee of  
\$ ☐ for a Petition for ☐ Month(s) Extension of Time

☐ Other (identify): ☐  
☐  
☐

THE TOTAL FEE DUE IS \$ 0.00.

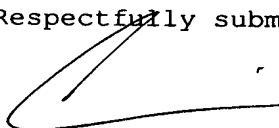
☐ A check in the amount of \$ ☐ is enclosed.

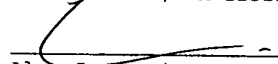
☐ Please charge Deposit Account No. ☐ in the amount of  
\$ ☐.

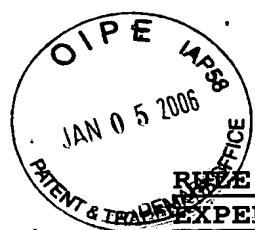
☒ The Commissioner is hereby authorized to charge any additional fees  
required or credit any overpayment to Deposit Account No. 03-3125  
as follows:

☒ Fees under 37 C.F.R. \$1.16 for the presentation of extra claims  
☐ Patent application processing fees under 37 C.F.R. \$1.17

Respectfully submitted,

  
\_\_\_\_\_  
John P. White  
Registration No. 28,678  
Alan J. Morrison  
Registration No. 37,399  
Attorneys for Applicant(s)  
Cooper & Dunham LLP (Customer #23432)  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this  
correspondence is being deposited this  
date with the U.S. Postal Service with  
sufficient postage as first class mail  
in an envelope addressed to:  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.  
 1/3/06  
\_\_\_\_\_  
Alan J. Morrison Date  
Reg. No. 37,399



**RULE 1.116 AMENDMENT**  
**EXPEDITED PROCEDURE**  
**GROUP ART UNIT 1618**

Dkt. 45775-Z/JPW/AJM/DNS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Christina Kabbash et al.  
Serial No. : 10/813,322 Examiner: D.L. Jones  
Filed : March 29, 2004 Art Unit: 1618  
For : NOVEL ANTIMICROBIAL ACTIVITY OF GEMFIBROZIL

1185 Avenue of the Americas  
New York, New York 10036  
January 3, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22312-1450  
Mail Stop AF

SIR:

**AMENDMENT IN RESPONSE TO NOVEMBER 2, 2005 FINAL OFFICE ACTION**

This is an Amendment in response to a November 2, 2005 Final Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the November 2, 2005 Final Office Action is due February 2, 2006. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows: